



**Office of the County Attorney**

**John M. Nonna**  
County Attorney

February 10, 2023

**VIA ECF**

Hon. Philip M. Halpern, U.S.D.J.  
Charles L. Brieant Federal Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: *Delux Public Charter, LLC, et al., v. County of Westchester, et al.*, 22-cv-01930

Dear Judge Halpern:

The County of Westchester, defendant in the above-captioned matter, respectfully writes on behalf of all parties in accordance with the Court's July 21, 2022 Civil Case Discovery Plan and Scheduling Order (ECF No. 64), which directed the parties to file, by today, a "joint letter concerning settlement/mediation."

To date, the parties have been unable to settle the instant matter. We do not currently believe that any mediation would be useful, although we will certainly alert the Court if that position changes as we move forward.

We thank the Court as always for its time.

Sincerely,

/s/ **David H. Chen**  
David H. Chen, Esq.  
Deputy County Attorney  
dhca@westchestergov.com  
(914) 995-3616